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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,113	06/12/2000	Muneomi Katayama	TESJ.0017	4948

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EXAMINER

VO, TIM T

ART UNIT

PAPER NUMBER

2189

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

57

# Office Action Summary

Application No.

09/592,113

Applicant(s)

KATAYAMA, MUNEOMI

Examiner

Tim T. Vo

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2189

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

This application has been examined. Claims 1-3 are pending.

#### ***Claim Rejections - 35 USC § 112***

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, on line 8, using the phrase, "and the like" cannot be determined and cause the claim to be vague and indefinite.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claim 1 is rejected under 35 U.S.C. § **102(e)** as being anticipated by Bianco et al. patent number 6,263,279 referred hereinafter "Bianco" .

As for claim 1, Bianco teaches an input terminal equipment for golf play information (see figure 1, system 100, figures 2-3, system 200 and column 6 lines 5-16,

Art Unit: 2189

wherein systems 100, 200 are hand held terminals for golfer (see column 10 lines 11-21), comprising:

- a computer I/O terminal having a size sufficiently small such that a golf player can carry the computer I/O terminal (see column 10 lines 11-21, wherein systems 100, 200 are hand held terminals for golfer);

- a layout of a golf course store in the computer I/O terminal (see figure 3 and column 6 lines 56-65, where the system 200 displays a layout of the golf course on the LCD screen);

- a display on the terminal for displaying selected portions of the golf course layout (see column 3 lines 57-65, wherein system 200 provides golfer to select land marks of the golf course so the golfer can set the distance that he/she expects to hit each golf club); and

- a member for inputting information relevant to golf plays into the terminal (see column 7 lines 24-30, the system 200 can accommodate a plurality of golfers);

- wherein a golf player carries the terminal when playing golf (see column 8 lines 11-21 and column 10 lines 25-30), and inputs play result into the terminal equipment main body using the input member so that the golf play information can be stored (see column 9 lines 38-51, wherein system 200 provides golfer keeping score by utilizing command key).

### ***Claim Rejections - 35 USC § 103***

Art Unit: 2189

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco in view of Santoro patent number 4,791,249 referred hereinafter "Santoro".

As for claim 2, Bianco teaches an input terminal equipment and analyzing system of golf play information (see figure 1, system 100, figures 2-3, system 200 and column 6 lines 5-16, wherein systems 100, 200 are hand held terminals for golfer (see column 10 lines 11-21), comprising:

a terminal equipment main body whose size is in a range that a golf player can carry the terminal equipment main body (see column 10 lines 11-21, wherein systems 100, 200 are hand held terminals for golfer);

an input member such as keyboard and a computer main body which is installed in a suitable position such as a club house and is capable of editing and analyzing data stored in the terminal equipment body (see figure 2, key boards 204, and column 7 lines 8-24, wherein golfer utilizing keyboards for entering input and data from the system 200 can transmit to the club house via interface 208 (see column 7 lines 8-12));

a cradle main body which is capable of loading the data in the terminal equipment main body into the computer (see column 7 lines 8-17, wherein the system 202 receives data from the club house via interface 208);

Art Unit: 2189

an output mechanism for taking out information which was edited or analyzed by the computer via electrical means such as a digital copy machine or laser printer (see figure 11, printer 1008 and column 3 lines 1-3, where images are digital scanned). Bianco does not expressly teach electronic pen for inputting data. However, Santoro teaches digitizer pen for inputting data into a computer. Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Santoro into the teachings of Bianco because Santoro providing user friendly by providing the golfer the digital pen over the keyboard for easy access which would save time, thereby allowing the golfer to concentrate on his game (see column 3 lines 11-13).

As for claim 3, Bianco teaches the computer is connected with a communication system such as web contents via world wide web (see column 9, 24-38).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Art Unit: 2189

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

A handwritten signature in black ink, appearing to read 'Tim Vo', with a stylized flourish at the end.

Tim T. Vo  
Examiner  
Art Unit 2189

T.V  
March 8, 2003